

**Finding of No Significant Impact
(FONSI)
Environmental Assessment
DOI-BLM-ID-I020-2018-0012-EA
Competitive Oil and Gas Lease Sale
Serial Number: IDI-38711**

Introduction and Background

The Bureau of Land Management (BLM) Idaho State Office received an expression of interest for approximately 836.23 acres of lands located in Bonneville County, Idaho, approximately 10 miles northwest of Gray, Idaho, to be offered in a competitive oil and gas lease sale. The entire acreage involves split estate lands, where the mineral estate is reserved to the Federal government and the surface is privately owned. The legal description of the parcel, serialized as case IDI-38711, is as follows:

Boise Meridian, Idaho
Township 3 South, Range 43 East,
 section 7, lot 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 section 8, NE $\frac{1}{4}$;
 section 9, E $\frac{1}{2}$;
 section 17, E $\frac{1}{2}$ E $\frac{1}{2}$;
 section 18, SE $\frac{1}{4}$ SE $\frac{1}{4}$

The Environmental Impact Statement (EIS) associated with the 2012 Pocatello Resource Management Plan (2012 Pocatello RMP) was developed to meet National Environmental Policy Act (NEPA) requirements in support of leasing decisions. The lands involved in the expression of interest are open for oil and gas leasing subject to standard lease terms, conditions, and applicable special stipulations as described in the minerals and energy direction of the 2012 Pocatello RMP. The area requested for competitive leasing also lies within a Greater Sage-Grouse (GRSG) General Habitat Management Area (GHMA), as identified in the 2015 Record of Decision and Approved Greater Sage-Grouse Resource Management Plan Amendment for Idaho and Southwestern Montana (2015 GRSG ARMPA). Land Use Plan decisions provided by the 2015 GRSG ARMPA have amended the Pocatello RMP and designated GRSG GHMA as open to mineral leasing and development and geophysical exploration, subject to controlled surface use which includes buffers and standard stipulations. Although the lands involved occur

within GRSG GHMA there are no recorded GRSG leks within 5 miles of the expression of interest area.

A Determination of NEPA Adequacy (DOI-BLM-I020-2017-0020-DNA) tiered to the 2012 Pocatello RMP EIS and 2015 GRSG ARMPA was prepared by the Pocatello Field Office (PFO) on August 21, 2017, to determine the availability of the requested lands and develop stipulations to be attached to the lease. The Idaho State Office posted the notice of competitive lease sale for the parcel on November 20, 2017, followed by a 30-day protest period. Two protest letters were received by the Idaho State Office on December 20, 2017. On January 11, 2018, Parcel IDI-38711 was withdrawn from the lease sale to allow BLM to conduct additional analysis of impacts from leasing the parcel, in accordance with NEPA. An Environmental Assessment (EA) (DOI-BLM-ID-I020-2018-0012-EA) was developed to conduct a site specific analysis of the impacts of offering Parcel IDI-38711 for competitive oil and gas leasing. The EA analyzed two alternatives which included the proposed action (recommending to offer the parcel for competitive oil and gas leaseing, subject to appropriate stipulations and notices attached to the lease) and no action alternatives. A preliminary EA was released to the public for comment for 15 days, beginning on March 27 and ending on April 10, 2018. Ten comment letters were received. Those comments were considered and the proposed action was revised by applying additional stipulations and lease notices. Additional information regarding the EA can be found on BLM's Eplanning NEPA register (https://eplanning.blm.gov/epl-front-office/eplanning/nepa/nepa_register.do).

Finding of No Significant Impact (FONSI)

I have reviewed the Environmental Assessment including the explanation and resolution of any potentially significant environmental impacts. I have also reviewed the ten Intensity Factors for significance listed in 40 CFR 1508.27 and have determined that the proposed action, along with the lease stipulations and notices, does not constitute a major federal action affecting the quality of the human environment or causing unnecessary or undue degradation of the natural environment. Therefore, an Environmental Impact Statement has not been prepared.

Implementing regulations for the National Environmental Policy Act (NEPA) (40CFR 1508.27) provide criteria for determining the significance of effects. ‘Significance’, as used in NEPA, requires consideration of both context and intensity. The bold and italicized text below are repeated from 40 CFR 1508.27 for completeness, and an explanation follows for relevance to the decision.

(a) Context. This requirement means that the significance of an action must be analyzed in several contexts such as society as a whole (human, national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. For instance, in the case of a site-specific action, significance would usually depend upon the effects in the locale rather than in the world as a whole. Both short- and long-term effects are relevant (40 CFR 1508.27):

The proposed action does not have international, national, region-wide, or statewide importance. The analysis has shown that the project significance is local in nature and that offering the lands for competitive oil and gas leasing would have no significant impact on existing resource values.

(b) Intensity. This requirement refers to the severity of impact. Responsible officials must bear in mind that more than one agency may make decisions about partial aspects of a major action. The following are considered in evaluating intensity (40 CFR 1508.27).

(1) Impacts that may be both beneficial and/or adverse.

The analysis documented in Environmental Assessment DOI-BLM-ID-I020-2018-0012-EA did not identify any individually significant short or long-term impacts. Chapter 3 (Affected Environment and Environmental Consequences) of the Environmental Assessment (pages 18 through 38) describes the affected resources and potential impacts of the proposed action and no action alternatives. Implementation of the proposed action would involve offering the entire 836.23 acre parcel for competitive oil and gas leasing, subject to lease stipulations and lease notices as described in Alternative B. There are no potential environmental effects from the lease sale that are considered to be significant, as defined by 40 C.F.R. § 1508.27. Adequate mitigation measures have been developed for the lease parcel, which include protective

stipulations and lease notices to reduce the potential impacts that may result from future oil and gas operations on other natural resources. These mitigation measures are based on the analyses and decisions identified through the Environmental Assessment, the 2012 Pocatello RMP, and the 2015 GRSG ARMPA.

Before any post-lease surface disturbing operations may be authorized, additional project- and site-specific analysis in accordance with NEPA and the application of additional Conditions of Approval (if warranted and consistent with the standard lease terms and lease stipulations and notices attached to the lease parcels) to reduce impacts to the environment would be required through the Application for Permit to Drill (“APD”) process.

(2) The degree to which the proposed action affects public health or safety.

The environmental analysis documented no major effects on public health and safety from the proposed action and no action alternatives. The proposed action is to offer the lease parcel for leasing, subject to lease stipulations and lease notices described in Alternative B. No aspect of the action would have an effect on public health and safety. If the parcel is sold and the lease enters into a development stage, public health and safety would be further addressed through site- and project-specific NEPA analysis.

(3) Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The environmental analysis documented that the proposed action would have no effects on unique geographic features of the area. An Archeological and Historical Inventory Record (BLM Report Number 2018-PFO-8) was completed for the application area. There are no documented cultural resources or potentially eligible historic properties within the application area. The project areas do not occur within park lands, prime farm lands, wild and scenic rivers, or ecologically critical areas. Wetlands occur within the lease sale area, however impacts to wetlands are not anticipated, as lease stipulations would require that future development proposals avoid wetlands. No impacts to the wildlife habitats or values of the nearby Gray’s Lake National Wildlife Refuge are anticipated.

(4) The degree to which the effects on the quality or the human environment are likely to be highly controversial.

Effects to the quality of the human environment from the offering, sale, and issuance of the lease parcel are not expected to be significant or highly controversial. Additional NEPA analysis would be conducted to address site-specific impacts on natural resources if development is proposed. Controversy in this context is considered to be in terms of disagreement about the

nature of impacts – not political controversy or expressions of opposition to the action or preference among the alternatives analyzed within the EA.

(5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

The environmental analysis did not identify any effects on the human environment which are highly uncertain or involve unique or unknown risks. Leasing, as well as associated exploration and development of oil and gas resources, is not unique or unusual for Federally managed mineral resources. The effects to the human environment are fully analyzed in the Environmental Assessment with a high degree of certainty.

(6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The proposed action does not set a precedent or represent a decision in principle about a future management consideration. No significant cumulative impacts were identified by the Environmental Assessment. Implementation of this decision would not trigger other actions, nor will it represent a decision in principle about future consideration. Any future proposal for oil and gas development on the lease would be subject to a separate and independent environmental analysis as mandated under NEPA.

(7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The cumulative effects of the past, present, and reasonably foreseeable actions are disclosed in Chapter 4 (Cumulative Impacts of Alternatives) of the Environmental Assessment (pages 38 through 48). No individual or cumulative significant impacts were identified in the EA in combination with all of these activities.

(8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed, or eligible for listing, in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.

The proposed action and alternatives would not adversely affect districts, sites, highways, structures, or objects in or eligible for listing in the National Register of Historic Places. An Archeological and Historical Inventory Record (BLM Report Number 2018-PFO-8) was completed for the application area. There are no documented, cultural resources or potentially eligible historic properties within the application area. Any future proposal for oil and gas development within the lease would be subject to a separate and independent environmental analysis as mandated under NEPA. Site-specific cultural resource inventories and avoidance of cultural resource sites would also be required. No impacts to the wildlife habitats or values of the nearby Gray's Lake National Wildlife Refuge are anticipated.

(9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.

Implementation of the proposed action would not affect any endangered or threatened species.

The Environmental Assessment documents that no endangered or threatened species or their habitat exist within the competitive lease sale area, however habitats do occur on adjacent lands.

If oil and gas activities are proposed, the lease stipulations and lease notices addressing such species alert prospective operators as to the potential for future restrictions on development if threatened or endangered species and/or habitat is found within the parcel.

(10) Whether the action threatens a violation of Federal, state, or local law or requirements imposed for the protection of the environment.

The environmental analysis documents that the proposed action is consistent with Federal, State, and local laws or requirements imposed for the protection of the environment.

I find that implementing Alternative B (Proposed Action) does not constitute a major federal action that would significantly affect the quality of the human environment in either context or intensity. I have made this determination after considering both positive and negative effects, as well as the direct, indirect and cumulative effects of this action and reasonably foreseeable future actions. I have found that the context of the environmental impacts of this decision is limited to the local area and I have also determined that the severity of these impacts is not significant. The Proposed Action and No Action alternatives have been reviewed for conformance with the Approved Pocatello Resource Management Plan (RMP), April, 2012, and the 2015 Record of Decision and Approved Greater Sage-Grouse Resource Management Plan Amendment for Idaho and Southwestern Montana.

/s/ Mary D'Aversa

Mary D'Aversa

Idaho Falls District Manager

4/20/2018

Date